

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. East Lyme Board of Education

Appearing on behalf of the Student:

Attorney Courtney Spencer
Law Office of Courtney Spencer, LLC
100 Riverview Center, Suite 120
Middletown, CT 06457

Appearing on behalf of the Board:

Attorney Alyce Alfano
Shipman & Goodwin LLP
One Constitution Plaza
Hartford, CT 06103

Appearing Before:

Attorney Susan Dixon
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

Whether the Board failed to offer Student a Free and Appropriate Public Education (“FAPE”) for the 2019-2020 and 2020-2021 School Years, by failing to offer an individualized education plan, program or placement that meets Student's needs, in violation of 20 U.S.C. § 1414 et. seq and R.C.S.A. § 10-76d et. seq as follows:

Did the Board offer an appropriate program for the 2019-20 school year, including ESY 2020?

1. Did the Board offer an appropriate program for the 2020-21 school year, including ESY 2021?
2. If not, is residential placement at Unita Academy School the appropriate program for the Student for the 2020-21 school year and should the Board be ordered to place the Student residentially at Unita School for the 2020-21 school year?
3. Is the Student entitled to compensatory education?

PROCEDURAL BACKGROUND:

The Parent filed this Request for a Due Process Hearing on July 8, 2020. The Hearing Officer was assigned on July 13, 2020. A Prehearing Conference was scheduled and held on July 28, 2020. At the conference, hearing dates were assigned and the issues were reviewed. A hearing was scheduled for September 17, 2020 with a mailing date for the final decision scheduled on October 26, 2020. These dates were within the extended parameters allowed by the Covid-19 State Orders regarding

administrative hearing scheduling. As a result of ongoing negotiations between the parties, a settlement was reached. Written notice of the withdrawal with prejudice from Counsel for the Student dated September 10, 2020 was received; therefore the matter is dismissed with prejudice.

FINAL DECISION AND ORDER:

The case is DISMISSED with prejudice.